

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

SAMUEL R. GARDNER, II, #107989,

Plaintiff,

v.

LEON FORNISS, et al.,

Defendants.

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CASE NO. 2:07-CV-1063-WKW

**ORDER ON MOTION**

In the document filed on February 20, 2008 (Court Doc. No. 16), the plaintiff requests that this court waive the requirement that he pay the requisite filing fee in this case. The court therefore construes this document to contain a motion for waiver of filing fee. Upon consideration of the motion for waiver of filing fee, and as payment of the filing fee is mandated by the provisions of 28 U.S.C. § 1915(b)(1), it is

ORDERED that this motion be and is hereby DENIED.

Done this 21<sup>st</sup> day of February, 2008.

/s/ Susan Russ Walker  
SUSAN RUSS WALKER  
UNITED STATES MAGISTRATE JUDGE